IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 07-12130-E

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
July 6, 2007
THOMAS K. KAHN
CLERK

CARL M. DRURY, JR.,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appelee,

Appeal from the United States District Court
for the Southern District of Georgia

ORDER:

Appellant's motion for certificate of appealability is GRANTED on the following issue only:

Whether the district court erred in dismissing appellant's 28 U.S.C. § 2255 motion as time-barred based on a finding that appellant's conviction became final on the date the Supreme Court denied his

petition for a writ of certiorari rather than the date the Supreme Court denied his petition for rehearing?

s/ Charles R. Wilson
UNITED STATES CIRCUIT JUDGE